

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**NANCY WEBB on behalf of herself and
all others similarly situated,**

Plaintiff,

v.

**OASIS GOODTIME EMPORIUM I,
INC. and BARBARA HOLCOMB,**

Defendants.

**CIVIL ACTION NO.:
1:13-cv-03524-ELR**

**JOINT MOTION FOR REVIEW AND APPROVAL
OF SETTLEMENT AND RELEASE AGREEMENT**

Plaintiffs Nancy Webb, Vettrell Adams, Zoya Aly, Jennifer Barlow, Maggie Baylor, Ashley Berryhill, Janice Blalock, Angela Carroll, Juliana Carter-Boff Straley, Chasity Frye, Antoinette Garrett, Sara Gheldar, Latira Harrison, Ameneh Kohandooz, Ashley Porter, Brittany Schell, Christina Thompson, Nicole Vitone, Carissa Wilson and Meghan Wolf (“Plaintiffs”) and Defendants Oasis Goodtime Emporium I, Inc. and Barbara Holcomb (“Defendants”), by and through the undersigned counsel, move this Court for a review and approval of their Settlement Agreement and Release of Claims. As grounds for this Motion, the Parties show the Court as follows:

1.

Plaintiff Webb filed her Complaint [Dkt. 1] on October 24, 2013, alleging violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.* The remaining Plaintiffs opted in at various times since October 24, 2013.

2.

Based upon the understandings and assessments of each party, the Parties, following a Settlement Conference on August 16, 2016, and acting at arms length and in good faith and with the advice of counsel, have negotiated and entered into a Confidential Settlement Agreement and General Release (hereafter “the Agreement”).

3.

The Parties represent that the terms set forth in the Agreement represent a compromise between the positions of the parties and that the amount of money allotted to back pay is a fair approximation of each Plaintiffs’ potential recovery if she prevailed at trial.

4.

Pursuant to Lynn’s Food Stores, Inc. v. United State of Am., 679 F.2d 1350, 1353 (11th Cir. 1982), judicial approval is required to give effect to Plaintiffs’ release of their FLSA claims, which is material to the Agreement.

5.

Once the Court approves the Agreement and all payments have been made as set forth in Paragraph 1 of the Agreement, the Parties will file a Stipulation of Dismissal with Prejudice.

6.

Because the Parties have agreed to keep the terms of the Agreement confidential, the Parties will submit a copy of the Agreement directly to chambers for the Court's consideration, along with a courtesy copy of this Motion.

7.

The Parties further request that the Court retain jurisdiction over this matter until all payments have been made as set forth in Paragraph 1 of the Settlement Agreement.

WHEREFORE, the Parties respectfully request that this Court review and approve their Settlement Agreement and Release. For the Court's convenience, a proposed Order granting this Motion is attached hereto as Attachment "A".

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), the undersigned counsel for Defendants certifies that this pleading has been prepared in Times New Roman, 14-point type, which is one of the font and point selections approved by the Court in Local Rule

5.1(C).

Dated this 26th day of October, 2016.

SUBMITTED BY:

CONSENTED TO BY:

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***with express permission**

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Attorneys for Plaintiffs

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on October 26, 2016, he electronically filed the foregoing **JOINT MOTION FOR REVIEW AND APPROVAL OF SETTLEMENT AND RELEASE AGREEMENT**, with the Clerk of Court using the CM/ECF System which will automatically send e-mail notification of such filing to the attorneys of record:

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